How would you characterise your views on the Bill in general?

In support

We would generally support the Bill on the grounds of addressing equality. Equal marriage can be seen to contribute to addressing the discrimination experienced by many Lesbian, Gay, Bisexual and Transgender (LGB and T) people. Our primary concern is for peoples health and it is well documented that discrimination has an adverse effect on peoples' health and wellbeing. The following summary was produced by the Royal College of Psychiatrists in response to the Home Office’s consultation on equal marriage in 2012 and reflects well the NHS Highland point of view. “Many health associations around the world support marriage equality on health grounds. These include the American Medical Association, Indiana State Medical Association, American Psychiatric Association, American Academy of Pediatrics, American College of Obstetricians and Gynecologists, American Psychological Association, Australian Medical Association, and the Australian Psychological Society. The ‘minority stress’ experienced by LGB people is an important factor in their health disadvantage. Stigma and discrimination against sexual minorities has been well studied (Ritter, Matthew-Simmons and Carragher, 2012). It is likely that social hostility, stigma and discrimination is at least part of the reason for the higher rates of psychological morbidity observed (King, 2008 and Chakraborty, 2011) as well as elevated rates of suicide (Mathy et al. 2009). Discriminatory policies specifically with regard to marriage equality have been shown to have negative health effects (Hatzenbuehler, 2010). Although the introduction of civil partnerships/unions in many western countries has gone a long way to reduce inequality (King & Bartlett 2006), marriage equality could reduce the discrimination and stress suffered by LGB persons, and lead to greater social inclusion and improved health. Opponents of marriage equality claim it will harm the institution by fundamentally redefining it; yet they produce no evidence in support of such claims. Opposition appears to be based mainly on the grounds of religious belief and practice, and such opposition should have little place in how secular marriage is regarded and defined. Furthermore, there are no health arguments in favour of maintenance of the status quo (denial of marriage equality). The Royal College of Psychiatrists supports the UK Home Office’s Equal Civil Marriage proposals (http://www.homeoffice.gov.uk/publications/about-us/consultations/equal-civil-marriage/).

How would you characterise your views on the introduction of same sex marriage, so that same sex couples can marry each other?

In support

We believe addressing inequality between mixed sex and same sex couples can only be positive and same sex marriage seems an appropriate way to achieve this. It seems unnecessary, however to insist that all mixed sex marriage ceremonies must use gender specific language, whereas it would seem more in the spirit of equality
and choice to allow individual couples (whether mixed sex or same sex) to decide for themselves. It also seems unfair to not allow couples who have had civil partnership ceremonies abroad to access marriage in Scotland. For many it may be unfeasible to return to the country where the civil partnership took place to have it dissolved.

**How would you characterise your views on putting belief celebrants on the same footing as religious celebrants?**

In support

This would seem appropriate, as belief and religion are covered similarly under the Equality Act 2010.

**How would you characterise your views on the arrangements for authorising celebrants to solemnise opposite sex and same sex marriage (including the opt-in procedures)?**

Neither

No specific comments on this question.

**How would you characterise your views on civil partnerships changing to marriages?**

In support

The same institutions, whether they are marriage or civil partnership, should be open to both mixed sex and same sex couple in order to promote equality.

**How would you characterise your views on allowing civil marriage ceremonies to take place anywhere, other than religious premises, agreed between the couple and registrar?**

Neither

No specific comments on this question, although it would seem appropriate to introduce more choice.

**How would you characterise your views on allowing the religious and belief registration of civil partnerships?**

In support

It would seem appropriate as a means of addressing some of the unequal elements of civil partnerships.

**How would you characterise your views on allowing transgender persons to stay married when obtaining a full Gender Recognition Certificate, which provides legal recognition in the acquired gender?**

In support
Obtaining a Gender Recognition Certificate can be a very stressful time and anything which could assist in alleviating that pressure would be welcomed. Several transgender individuals in Highland have commented that they very much resented having to divorce their partner when obtaining their certificate. For several people, their partner had been an enormous source of support and it did not feel appropriate to either party that they should be divorcing. It added unnecessary stress to what can be a very difficult situation for the individuals involved. We would also agree with the Equality Network, that as the bill stands, a married person will require the consent of their spouse to obtain gender recognition. In our view, gender recognition should be available with or without the spouse’s consent, because it is a matter personal to the trans person. It is the re-registration of the marriage after gender recognition that should require the consent of both spouses, since that is where both spouses have a direct interest. The bill is also currently missing a provision that was added to the corresponding English legislation, allowing a person to obtain gender recognition with simpler evidence requirements if they have been transitioned for at least six years. That should be added. We would also like to see the minimum age for applying for gender recognition brought into line with the minimum age for marrying in Scotland that is 16.

Would you like to comment on the wider issue of protections for those in society who may have concerns about same sex marriage?

While freedom of religion and belief should be respected, this should not be at the expense of other peoples’ rights to equality.

Would you like to comment on the wider issue of freedom of speech?

No.

Would you like to comment on any other wider issues in relation to the Bill that are not mentioned above?

No

Are you responding as...

a public body

Caroline Tolan
NHS Highland
7 August 2013